



TELEPHONE: 512/474-5200  
FACSIMILE: 512/536-4558

MARK B. WILSON  
PARTNER

INTERNET ADDRESS:  
MBWILSON@FULBRIGHT.COM

DIRECT DIAL: 512/536-3035

# FULBRIGHT & JAWORSKI L.L.P.

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April 6, 2001

FILE: INDA:005USP1

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Commissioner for Patents  
Washington, DC 20231

RE: SN 09/626,616 "POLYNUCLEOTIDE ENCODING MU OPIOID RECEPTOR" –  
Lei Yu

Commissioner:

Enclosed for filing in the above-referenced patent application is:

- (1) An Amendment; and Response to Office Action dated December 6, 2000, with Appendices A (marked up version of replacement paragraphs), B (clean version of replacement paragraphs); C, D, E and F.
- (2) A Request for an Extension of Time of one month to and including April 6, 2001;
- (3) A check for \$55.00 as the fee for the extension of time; and
- (4) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/10020907/INDA:005USP1/GNS.

Respectfully submitted,

Mark B. Wilson  
Reg. No. 37,259  
MBW/fb  
Encl.:

25017757.1/10020907



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Lei Yu

Serial No.: 09/626,616

Filed: July 27, 2000

For: POLYNUCLEOTIDE ENCODING MU  
OPIOID RECEPTOR

Group Art Unit: 1647

Examiner: R. Landsman

Attorney Docket. No.: INDA:005USP1/GNS

AMENDMENT AND RESPONSE TO OFFICE ACTION DATED DECEMBER 6, 2000

Commissioner for Patents  
Washington, D.C. 20231

Commissioner:

This paper is submitted in response to the Office Action dated December 6, 2000 for which the three-month date for response is March 6, 2000. A request for a one-month extension of time to respond is included herewith along with the required fee. This one-month extension will bring the due date to April 6, 2001, which is within the six-month statutory period.

Reconsideration of the application is respectfully requested.

PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. § 1.136(a), Applicant petitions for an extension of time of one month, to and including April 6, 2001, in which to respond to the Office Action dated December

6, 2000. Pursuant to 37 C.F.R. § 1.17, a check in the amount of \$55 is enclosed, which is the process fee for a one-month extension of time. If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/10020907/MBW.

### I. AMENDMENT

#### **In the Specification**

Please substitute the paragraphs of the Brief Description of the Figures, Fig. 1, 2, 5, 6, 7, 8, 11, 18, 19, 20, 21, 23 and 24 with the amended paragraphs of Fig. 1, 2, 5, 6, 7, 8, 11, 18, 19, 20, 21, 23 and 24 contained herein. The Brief Description of the Figures is found in the Specification on pages 20-29. These amendments are to label the drawings that contain more than one part as requested by the Examiner. A marked-up version of these paragraphs is attached as Appendix A to this response.

**FIG. 1A and FIG. 1B.** Saturation Binding of [<sup>3</sup>H]Diprenorphine Using COS-7 Cell Membranes. [<sup>3</sup>H]Diprenorphine binding was determined using membranes prepared from COS-7 cells transfected with either the rat MOR-1 cDNA plasmid (○) or the parental vector (○). FIG. 1A shows data from a representative experiment are presented and are expressed as mean + standard error. (FIG. 1B), Scatchard plot analysis of the binding data from MOR-1-transfected cells.

**FIG. 2A and FIG. 2B.** FIG. 2A and FIG. 2B show displacement of [<sup>3</sup>H]Diprenorphine Binding with Unlabeled Ligands as Competitors Data from a representative experiment are